

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ronda A. Mettey

Plaintiff,

vs.

American Family Mutual Insurance
Company, et al

Defendants.

CASE No. C-1-02 398

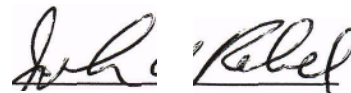
Judge Spiegel

**AFFIDAVIT IN SUPPORT OF A
MOTION TO COMPEL PRODUCTION
OF COMPUTER TAPE PRINTOUT,
SURVEY, INSURANCE APPLICATION**

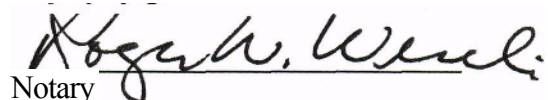
State of Ohio) County of Hamilton) S S:

Being duly cautioned and sworn John A. Rebel, attorney for the Plaintiff states the following to be true.

1. A computer back-up tape was in the possession of the Plaintiff. By January 26, 2004, it was provided to Defendant with the understanding that it would be viewed and information printed-out and provided to Plaintiff.
2. The computer tape was viewed on March 15, 2004. It contained files that listed Plaintiffs clients, her calendar, notes, and records with regard to the nature and frequency of her services to Defendant. Shortly thereafter printouts of specified files were requested from Defendant.
3. Plaintiff on numerous occasions by letter and in telephone conversations requested the printout. Plaintiffs attorney requested Defendant's attorney on numerous occasions to provide the data or to allow an employee of Plaintiff to print out the information.
4. As a result of depositions of Defendants employees Plaintiff requested copies of Agenda of District meetings of Richard Robinson and an insurance application for a member of his household. These requests were in writing.
5. The Plaintiff through informal communication has failed to obtain the requested information.



J A. Rebel


Notary